

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ANGELO FEARS	:	CASE NO: 1:01-CV-183
Petitioner	:	Chief Judge Walter H. Rice
- vs -	:	Magistrate Judge Michael R. Merz
MARGARET BAGLEY, WARDEN	:	<u>MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO REPORT AND RECOMMENDATIONS</u>
Respondent	:	
	:	

Comes now the Petitioner, and moves this court for an order permitting him an additional sixty (60) days to file his objections to the Report and Recommendations filed in the United States District Court on November 8, 2005, all for the reasons more fully set forth herein.

MEMORANDUM IN SUPPORT

Counsel received this Court's ninety-seven page Report and Recommendation denying relief on all grounds. Co-Counsel is new to this case and thus has to get up to speed with the pleadings and obviously, Petitioner will be objecting to all portions of the Report and Recommendation. The combination of the scope of the objections, the substitution of co-counsel and the press of other business necessitates this Motion.

Pursuant to Loc. R. 7.3(a), Counsel for Petitioner called Mr. Stephen Maher, Assistant Ohio Attorney General, in an effort to seek his consent to the extension. Counsel for the State returned counsel's call and indicated he would not oppose the extension sought and in fact would consent to the extension requested.

For all the foregoing reasons, Petitioner prays the court extend the objection deadline from the presently-set deadline of November 29, 2005 to and including the close of business on January 30, 2006.

Respectfully submitted:

s/Lawrence J. Greger

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was electronically served on Stephen Maher, Assistant United States Attorney.

s/Lawrence J. Greger

Lawrence J. Greger